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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

RIMELL, SAMUEL G

ART UNIT	PAPER NUMBER
2165	

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/045,064	Applicant(s) GOODWIN ET AL.	
	Examiner Sam Rimell	Art Unit 2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-11,13-21,23-31 and 33-44 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-11, 13-21, 23-31, 33-44 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

- | | |
|---|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1, 3-8, 10-11, 13-18, 20-21, 23-28, 30-31, 33-38 and 40-44 are rejected under 35 U.S.C. 102(a) as being anticipated by Shanahan et al (European Patent Application EP 1143356, published October 10, 2001).

Claim 1: Reference is made to FIG. 2, paragraphs 0017 through 0021 and paragraph 0041. The system of Shanahan has a scheduler (200) that gathers information (documents 100) from a repository of documents according to a specific schedule (paragraph 0019, line 3). The scheduler includes a “demon function” which first registers the documents (demon marks document service as fulfilled—page 4, line 16) and assigns document identifiers to the document (page 4, lines 19-21). The document is then transmitted to a first work queue, which is the service provider (210). The service provider processes the document and provides any one of a series of services (page 7, paragraphs 0047-0051). Some services include the generation of meta-document representations (identifying company names—page 7, line 11) and others involve analyzing the meta-document representations (accessing stock history and stock prices of company names—page 7, lines 12-13 and page 10, lines 34-40). The service provider then forwards the document back to the user via a second queue (the scheduler 200 as seen in FIG. 2).

Claim 3: The meta document representations added to the meta document can be in XML format (page 4, lines 19-21 and page 6, lines 35 and 39).

Claim 4: The analysis of meta document representations given by example in the discussion associated with claim 1 involves extracting stock prices for identified company names. This is readable as a metrics extraction.

Claim 5: The meta document representations (page 7, paragraphs 0047-0051) are simply added to the meta document content, which is considered to be an act of indexing the information, lacking any further detail on what kind of index is being formed or what structure the index has.

Claim 6: The analysis of meta-document representation is the generation of stock prices associated with company names in the documents. Stock prices are readable as “progress statistics”, lacking any further definition of what a “progress statistic” actually is.

Claim 7: After the document is processed by the service provider (210 in FIG. 2) it is returned through the second queue (200) back to the repository of documents (100) at the user location (page 3, lines 45-46), which is the third queue.

Claim 8: The first queue (210) and second queue (200) have access to a central data structure (collection of documents 100).

Claim 10: The data structure described at page 4, lines 19-21 is a taxonomy in the sense that it is a classification of the aspects of the document.

Claim 11: See remarks for claim 1.

Claim 13: See remarks for claim 3.

Claim 14: See remarks for claim 4.

Claim 15: See remarks for claim 5.

Claim 16: See remarks for claim 6.

Claim 17: See remarks for claim 7.

Claim 18: See remarks for claim 8.

Claim 20: See remarks for claim 10.

Claim 21: See remarks for claim 1.

Claim 23: See remarks for claim 3.

Claim 24: See remarks for claim 4.

Claim 25: See remarks for claim 5.

Claim 26: See remarks for claim 6.

Claim 27: See remarks for claim 7.

Claim 28: See remarks for claim 8.

Claim 30: See remarks for claim 10.

Claim 31: See remarks for claim 1.

Claim 33: See remarks for claim 3.

Claim 34: See remarks for claim 4.

Claim 35: See remarks for claim 5.

Claim 36: See remarks for claim 6.

Claim 37: See remarks for claim 7.

Claim 38: See remarks for claim 8.

Claim 40: See remarks for claim 10.

Claims 41-44: Page 7, paragraph 0051 gives an alternate example of a meta-document representation, namely a generated time line. The analysis step would then be the association of

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events with the time line, which is a categorization of the events. The programming lines which perform this analysis step would thus be a “categorizing module” or “categorizing means”.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9, 19, 29 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shanahan et al. in view of Official Notice.

Claims 9, 19, 29, 39: Shanahan et al. only differs in that it does not disclose CORBA as the exchange mechanism by which the service provider (210) obtains documents (100). However, Shanahan does state that “standard data protocol transfer mechanisms” can be used to allow the service provider (210) to obtain and return documents.

Examiner takes Official Notice that CORBA (Common Object Request Brokerage Architecture) is one such standard transfer mechanism that is well known in the art. CORBA is a well known “object brokerage” that allows programmers to obtain programming objects through a common retrieval system.

It would have been obvious to modify Shanahan to obtain documents (documents can be objects) from a CORBA object brokerage so as to allow users a convenient one point system from which obtain documents as is well known in the art.

Remarks

Applicant’s amendments have been considered.

Applicant's arguments have been considered. With respect to the Shanahan et al. reference, applicant's argues that once the document has been processed and sent back to the second work queue (the scheduler), no further analysis of the document occurs. Accordingly, Shanahan et al. allegedly does not disclose the step of analyzing the meta-documents representations.

This argument has been considered, but is not entirely correct. The claims actually make no requirement on where the analysis step has to occur, only that it must occur somewhere within the system. There is no requirement that the analysis sep be performed at the second work queue, so it is possible within the context of the claims to perform the analysis step at the first work queue, which is what occurs in Shanahan et al. Within Shanahan et al. the generation of the meta-document representation and the analysis of that representation occur at the first work queue (see detailed remarks associated with claim 1). Accordingly, examiner maintains that Shanahan et al. does in fact teach the analysis of the meta-documents representations.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (571) 272-4084.

A handwritten signature in black ink, appearing to read 'S. Rimell', with a stylized, cursive script.

Sam Rimell
Primary Examiner
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